

AMENDED IN ASSEMBLY MARCH 15, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2063

Introduced by Assembly Member Huffman
(Coauthors: Assembly Members Chesbro and Evans)
(Coauthors: Senators Leno and Wiggins)

February 18, 2010

An act to add Section 6902.5 to the Fish and Game Code, and to add Section 425.11 to the Government Code, relating to fish.

LEGISLATIVE COUNSEL'S DIGEST

AB 2063, as amended, Huffman. Fish: Chinook salmon.

Existing law establishes the Salmon, Steelhead Trout, and Anadromous Fisheries ~~Protection~~ *Program Act* to protect and increase the naturally spawning salmon, steelhead trout, and anadromous fishery resources of the state. Existing law defines anadromous fish as fish that spawn in fresh water and spend a portion of their lives in the ocean.

This bill would add ~~specified~~ legislative findings and declarations to the act ~~and~~. *The bill would proclaim a legislative goal of restoring Chinook salmon populations to sustainable levels, sufficient to support viable recreational, commercial, and tribal fisheries, within a decade. The bill would state the intent of the Legislature, in implementing this goal, that the department utilize best available science and, a life cycle analysis, and scientifically driven hatchery operations in determining where to focus and prioritize conservation planning efforts for recovery of Chinook and other salmonid species. This* The bill would also designate the Chinook salmon as the official state anadromous fish.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 6902.5 is added to the Fish and Game Code, to read:

6902.5. (a) The Legislature finds and declares all of the following:

(1) The Chinook salmon (*Oncorhynchus tshawytscha*), a fish native to many California streams for thousands of years, is an extremely important ecological, economic, and cultural resource to all the people of California.

(2) Chinook salmon are anadromous fish that are born in fresh cold water streams, migrate hundreds of miles to the ocean where they spend most of their adult life, and then return to spawn and lay their eggs in the stream of their birth.

(3) Salmonids have a long history of interactions with humans, appearing as images in Cro-Magnon cave art of 10,000 or more years ago, and have been an important food source for indigenous peoples throughout the salmonids' geographic range, including Native American tribes in California. The first commercial harvest of Chinook salmon began in the Sacramento River in the 1850s when it provided food for the gold rush.

(4) Chinook salmon have managed to survive and evolve over hundreds of years in California, showing extraordinary resilience in the face of tremendous change, including, but not limited to, the damming and diversion of most major California rivers, hydraulic mining during the gold rush, past timber harvesting and over-fishing practices, loss of cold water and riparian habitat, competing demands for water, and changing ocean conditions.

(5) Despite their resilience and cultural, historical, aesthetic, and economic importance, salmonid fishes, including Chinook salmon, are in severe decline in most of their native habitats and many populations have been extirpated.

(6) All Chinook salmon runs in California have declined dramatically. Of the four separate Central Valley Chinook salmon runs, two are listed under the federal Endangered Species Act of 1973 and the California Endangered Species Act and are currently threatened with extinction.

(7) The Central Valley fall run, the strongest of the four Central Valley Chinook salmon runs, has been the backbone of the recreational and commercial salmon fishing industry in California.

However, the salmon fishing season has been closed the last two years due to a dramatic drop in the number of returning fish, which dropped 90 percent from 738,000 in 2002, to 66,000 in 2008, an all time low. Fishery scientists anticipate 2010 will be the third year in a row where the number of returning fish drop below 122,000, the minimum escapement necessary for long-term survival of the species. In 2007, the National Marine Fisheries Service dropped 95 percent from 769,868 in 2002, to 87,940 in 2007, 64,456 in 2008, and 39,530 in 2009, an all time low, and the third consecutive year that the number of returning fish has fallen below the 122,000 minimum escapement criteria necessary for long-term sustainable fishing. In 2004, the National Marine Fisheries Service placed the Chinook salmon from the Central Valley fall run on their "Species of Special Concern" list.

(8) The economic impact of the closure of the ~~Central Valley fall run~~ salmon season in 2008 and 2009 is estimated at over \$2 billion, with as many as 23,000 jobs lost. The California salmon industry supports thousands of recreational fishers, over 1,000 licensed commercial boats (down from a high of over 8,000 boats in the 1970s), and hundreds of related businesses. Many of these businesses were forced to shut down in 2008 and 2009, while others managed to stay open through receiving federal disaster assistance. It is anticipated that if the salmon season is closed again in 2010 as many as 30 percent of the remaining businesses will fail.

(9) It is estimated that recovery of the Central Valley fall run could produce over \$5 billion in economic revenues and as many as 94,000 jobs.

(10) Chinook salmon need freshwater habitat that includes cold, clean water; appropriate water depth, quantity, and flow velocities; upland and riparian vegetation to stabilize soil and provide shade; clean gravel for spawning and egg-rearing; large woody debris to provide resting and hiding places; adequate food; and varied channel forms.

~~(11) Bringing Chinook salmon back from the brink of extinction~~

(11) Recovery of Chinook salmon will not be easy, but it is possible, thanks to the inherent adaptability of California's salmonids to changing conditions. However, accomplishing this task will require renewed commitment and coordination on the

1 part of the Legislature, state and federal fishery agencies, the
2 fishing community, and other interested parties.

3 (b) The Legislature proclaims the goal of restoring Chinook
4 salmon populations to sustainable levels, sufficient to support
5 viable recreational, commercial, and tribal fisheries, within a
6 decade. To accomplish this goal, it is the intent of the Legislature
7 that the Department of Fish and Game and the Fish and Game
8 Commission work together collaboratively with other public and
9 private partners, including, but not limited to, the Ocean Protection
10 Council, the National Marine Fisheries Service (NOAA Fisheries),
11 the United States Fish and Wildlife Service, the Pacific Fisheries
12 Management Council, fishing men and women, fishing businesses,
13 local fishing communities, and other interested parties to restore
14 thriving and sustainable populations of Chinook salmon in
15 California. In implementing this goal, it is the intent of the
16 Legislature that the department utilize best available ~~science and~~
17 ~~a life cycle analysis~~ *science, a life cycle analysis, and scientifically*
18 *driven hatchery operations* in determining where to focus and
19 prioritize conservation planning efforts for recovery of Chinook
20 and other salmonid species.

21 SEC. 2. Section 425.11 is added to the Government Code, to
22 read:

23 425.11. The Chinook salmon (*Oncorhynchus tshawytscha*) is
24 the official state anadromous fish.